IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THURSDAY THE NINTH DAY OF SEPTEMBER TWO THOUSAND AND FOUR

: PRESENT :

THE HON'BLE MS. JUSTICE: **T. MEENA KUMARI**

AND

THE HON'BLE MR. JUSTICE: **GOPALA KRISHNA TAMADA**

C.M.A. No.3269 of 2004

(Appeal under Section 37 of Ar.b. Act against the Order of the Court of the II Addl. Chief Judge, City Civil Court, at Hyderabad, made in I.A.No.750 of 2004 in O.P.No.2996 of 2003, dated 11-8-2004)

Between:

M/s. Lacno Kondapalli Power Pvt. Ltd., Incorporated under the Companies Act, 1956 Having its registered Office at Lanco House, 141 Anenue # 8, Banjara Hills, Hyderabad-500034.

Petitioner

AND

M/s. Transmission Corporation of Andhra Pradesh Ltd., Incorporated under the Companies Act, 1956, Having its Registered Office at Vidyut Soudha, Somajiguda, Hyderabad-500049.

Respondent

(Respondents in –do-)

CMP.NO.13713/2004

Petition under Order 39, Rule 1 r/w Section 151 of CPC praying the High Court to grant interim injunction restraining the respondent from taking any unilateral action pursuant to the letter dated: 11th December 2003 in particular, restraining the respondent from re-fixing the capacity of the plaint, pending disposal of the C.M.A. No. 3269 of 2004 preferred to the High Court against the order of Court of the II Additional Chief Judge, City Civil Court, Hyderabad and passed in I.A. No. 750 of 2004 in O.P. No. 2996 of 2003 dated: 11-08-2004

CMP.NO.13714/2004

Petition under Section 151 of CPC praying the High Court to suspend the orders dated: 11-08-2004 passed in I.A. No. 750 of 2004 in O.P. No. 2996 of 2003 on the file of the II Additional Chief Judge, City Civil Court, Hyderabad, pending disposal of the C.M.A. No. 3269 of 2004 preferred to the High Court against the order of Court of the II Additional Chief Judge, City Civil Court, Hyderabad and passed in I.A. No. 750 of 2004 in O.P. No. 2996 of 2003 dated: 11-08-2004

The petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and the order of the High Court dated 2-9-2004 made in CMP.No.13713 and 13714 of 2004 and upon hearing the arguments of Mr.C. Kodanda Ram, Advocate for the Petitioner and of Mr.P. Shiva Rao, Advocate for the Respondent.

The Court delivered the following ORDER :

"Respondents have filed counter. But in view of pendency of WP 7838/04, this Court granted interim injunction in CMP.No.13713 of 2004 and interim suspension in CMP.No.13714 of 2004, Therefore, until further orders,

the interim injunction and interim suspension shall stand continue.

ASSISTANT REGISTRAR

// TRUE COPY //
for ASSISTANT REGISTRAR

To

1. The Chief Judge, City Civil Court, Hyderabad.
2. The II Additional Chief Judge, City Civil Court, Hyderabad.
3. M/s. Transmission Corporation of Andhra Pradesh Ltd., Incorporated under the
   Companies Act, 1956, Having its Registered Office at Vidyut Soudha,
   Somajiguda, Hyderabad-500049.
4. One spare copy

KK

HIGH COURT

TMKJ & TGKJ

DT. 9-9-2004

ORDER

C.M.A.NO.3269 OF 2004

INTERIM INJUNCTION AND
INTERIM SUSPENSION SHALL STAND CONTINUE

Drafted by: KK
Drafted on: 14-9-2004

HIGH COURT

TMKJ & TGKJ

DT. 9-9-2004

ORDER

C.M.A.NO.3269 OF 2004

INTERIM INJUNCTION AND
INTERIM SUSPENSION SHALL STAND CONTINUE